

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-32 are pending. Claims 1-21 and 23-32 are independent and hereby amended. No new matter has been added. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### **II. SUPPORT FOR REMARKS IN SPECIFICATION**

Support for the remarks is provided throughout the Specification as originally filed and specifically at paragraph [0172]-[0175] of Applicants' corresponding published application. By way of example and not limitation:

[0172] In this programme preparation and distribution system 100, a database is constructed in which the archive system 40 manages metadata in a concentrated fashion along with the essence such as video and audio data. By the distributed programme editing system 10, the metadata inputted at the planning processing PP1 and at the casting processing PP2 is registered in the database managed in a concentrated fashion by an archival manager 40A of the archive system 40, **at the same time as a tag specifying the registered**

**metadata is issued.** This tag is co-packed with the video and audio information obtained on acquisition by the acquisition system 60. In the production system 20, the timing to flow the staff roll is specified during the off-line processing PR4 in the production system 20. In accordance with the specified timing, **the metadata is taken out from the database pointed by the tag co-packed with the video information or the audio information** to generate the corresponding character automatically to effect complete editing processing.

... ..

[0174] In this programme preparation and distribution system 100, **the GPS data indicating the place, position or time of acquisition is inputted as metadata in the stage of the acquisition processing ACQ by the acquisition system 60 and the input metadata is co-packed with the audio or video information obtained on acquisition by this acquisition system 60.** At the off-line editing processing PR4 in the production system 20, an editor is able to execute temporal programme distribution without the editor becoming conscious of the presence of the GPS data. At the CG creation processing PR9, retrieval is made from the database showing a separately provided database, **using tag data indicating the position or time co-packed in the video or audio information** to output map graphics to complete the programme employing the map graphic by the complete editing processing PR5.

[0175] In this case, as when automatically generating the character, the metadata indicating the position or time can be registered in the database managed in a concentrated fashion by the archival manager 40A of the archive system 40 to support the CG creation processing PR9.

### III. RESPONSE TO REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-32 were rejected under 35 U.S.C. §103(a) over U.S. Patent No.

6,311,194 to Sheth, et al. (hereinafter, merely "Sheth") in view of U.S. Patent No. 6,505,160 to Levy, et al. (hereinafter, merely "Levy").

Claim 1 recites, *inter alia*:

... wherein the archiving means issues and archives a **tag indicating position or time of acquisition executed by the acquisition means and being co-packed in the video or audio data**.... (Emphasis added)

As understood by Applicants, Levy relates to linking audio and other multimedia data objects with metadata and actions via a communication network, e.g., computer, broadcast, wireless, etc.

Applicants submit that neither Sheth nor Levy, taken alone or in combination, would disclose or render predictable the above-identified features of claim 1. Specifically, neither of the references used as a basis for rejection discloses or renders predictable “the archiving means issues and archives a **tag indicating position or time of acquisition executed by the acquisition means and being co-packed in the video or audio data**,” as recited in claim 1.

Specifically, the Office Action (page 3) asserts that Sheth suggests that XML allows for creation of customized tags and discloses automated content acquisition may use metatags, and Levy discloses associating the identifier with the metadata wherein the identifier travels with the media object and then retrieves the metadata, and refers to Sheth, col.6 line 39-45 and col.4 lines 14-17, and Levy, col. 2, lines 5-53, which are reproduced as follow:

*Sheth, col.6 line 39-45:*

XML: (eXtensible Markup Language), a specification developed by the W3C that allows for the creation of customized tags similar to those in HTML. The standard allows definition, transmission, validation, and interpretation of data between applications and between organizations.

*Sheth, col.4 lines 14-17:*

Current manual or automated content acquisition may use metatags that are part of an HTML page, but these are proprietary and have no contextual meaning for general search applications...

*Levy, col. 2, lines 5-53:*

Linking Audio and Other Media Objects via Identifiers

The following sections describe systems and processes for linking audio and other media objects to metadata and actions via an identifier. For the sake of illustration, the disclosure focuses on a specific media type, namely audio signals (e.g., music, sound tracks of audio visual works, voice recordings, etc.). However, these systems, their components and processes apply to other types of media signals as well, including video, still images, graphical models, etc. As described further below, an identifier attached to an audio signal is used to connect that signal with metadata and/or programmatic or device actions. In the context of this document, the terms "media object" and "audio object" refer to an electronic form of a media signal and audio signal, respectively. The linking of media signals applies to objects that are transmitted over wire networks (such as a computer network), wireless networks (such as a wireless telephone network), and broadcast (AM, FM, digital broadcast, etc.).

There are a number of ways to associate an identifier with an audio object. One way to associate the identifier is to insert it in the form of a numeric or alphanumeric code (e.g., binary or M-ary code) in the electronic file in which the audio is stored. Another way to associate the identifier is to embed it as auxiliary data in the audio signal using steganographic methods, such as digital watermarking or other data hiding techniques. Yet another way is to derive the identifier from the audio signal, the table of contents, the file system structure, or its container (e.g., an electronic file or physical package for data like flash memory, Digital Versatile Disk (DVD), minidisk, or compact disk (CD)). The physical media may have identifying characteristics, such as a unique identifier or encoded metadata, or other attributes from which an identifier can be derived (e.g., CD disk wobble).

When the identifier is associated with metadata or actions, it transforms the media object into a "linked" object. The identifier travels with the object through distribution, including in some cases, through physical distribution in packaged media and through

electronic distribution (broadcast or network communication). The identifier may travel within the same band as the audio object, such as a watermark, or via a separate band, such as a file header or footer or separate broadcast band. A decoding device or programmatic process extracts the identifier from the object and uses it to retrieve related data or actions ("metadata"). In the case of an audio object, like a song, the metadata typically includes the title, artist, lyrics, copyright owner, sound recording owner, information about buying or sampling opportunities and URLs to this type of data as well as web sites and other programs and devices...

Applicants submit that Sheth describes using metatags in content acquisition, and Levy describes linking audio and other media objects via identifiers. However, neither Sheth nor Levy discloses the tag indicates position or time of acquisition and the tag is co-packed in the video or audio data. Thus, Sheth and Levy fail to disclose or render predictable "the archiving means issues and archives a **tag indicating position or time of acquisition executed by the acquisition means and being co-packed in the video or audio data,**" as recited in claim 1.

Therefore, Applicants submit that independent claim 1 is patentable and respectfully request reconsideration and withdrawal of the rejection.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 2-21 and 23-32 are also patentable, and Applicants thus respectfully request reconsideration of the rejections thereto.

#### IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Applicants thereby respectfully request reconsideration and withdrawal of rejections thereto. Because each dependent claim is also deemed to define an additional aspect of the

invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### CONCLUSION

Because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

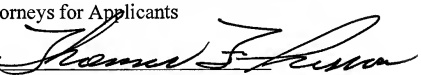
Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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